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STATUTORY INSTRUMENTS

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**2018 No. 46**

**The Criminal Justice (Scotland) Act 2016  
(Consequential Provisions) Order 2018**

*Criminal investigations*

**Exercise of functions by other officials**

- 7.—(1) Schedule 3 makes provision about the application of the 2016 Act in relation to—
- (a) immigration officers;
  - (b) designated customs officials; and
  - (c) officers of Revenue and Customs.
- (2) Nothing in Parts 2 to 5 of Schedule 3 causes a provision contained in Part 1 of the 2016 Act to apply in relation to a case in which a person is arrested before this article comes into force.
- (3) Nothing in Parts 2 to 5 of Schedule 3 causes a provision of the 2016 Act to apply in relation to a case if—
- (a) the provision is contained in Part 1 of the 2016 Act and it would not apply in relation to the case had the arrest of the person in question been effected in Scotland by a constable of the Police Service of Scotland under section 1 of that Act; or
  - (b) the provision is contained in Part 2 of the 2016 Act and it would not apply in relation to the case had the search of the person in question been carried out in Scotland by a constable of the Police Service of Scotland.